

REMARKS

Applicant has carefully reviewed the Official Action dated August 7, 2006.

As noted at page 2 of the Official Action, the final rejection of Claims 1 - 5 and 7 - 18 have been affirmed on appeal by the Patent & Trademark Office Before The Board Of Patent Appeals And Interferences, and Applicant has not sought further review of the Board's Decision affirming the rejection of these claims. Accordingly, Claims 1 - 5 and 7 - 18 have been cancelled.

Claims 6 and 19 - 20 remain pending in this application. Dependent Claim 6, which depends directly from independent Claim 1, has been rewritten in independent form in view of the cancellation of parent independent Claim 1.

Independent Claim 19 has also been amended to include the features recited in Claim 6, namely that the article of furniture defined by Claim 19 includes means for resiliently biasing the receptacle unit into its extended position, and cooperating with releasable locking means opposing the means for resiliently biasing the receptacle unit into its extended position for retaining the receptacle unit in its retracted position.

In the Official Action, Claim 6 was rejected under 35 U.S.C. Section 103(a) as being obvious over a combination of the Cole patent (U.S. Patent No. 3,646,244) in view of the Byrne patent (U.S. Patent No. 4,747,788). The specific basis for the rejection of Claim 6 made in the Official Action is : "Regarding claim 6, the receptacle unit of Cole further includes means for biasing and locking 45a, 45b." [Official Action dated August 7, 2006, p. 3, 2nd paragraph].

Applicant respectfully disagrees with this conclusion. Elements 45a and 45b of the Cole patent are not used for resiliently biasing a receptacle unit into an extended position, as expressly recited in Claim 6. On the contrary, elements 45a and 45b are stops which retain the housing 10 in its extended position only after the housing has been withdrawn from the casing 16. See, for example, Column 4, lines 30 - 33 of the Cole specification which states in pertinent part: "...upon the housing pin reaching its withdrawn position the stops 45a and 45b snap back out the openings 39a and 39b so as to rest against the upper surface of inner flange 27." Also see Figure 4 of the drawing in which stops 45a and 45b are shown abutting against the flange 27 of the casing 16 to maintain the housing 10 in its extended position after it has been moved into the extended position. Elements 45a and 45b do not exert a resilient bias on the housing 10 to move it into its extended position.

The means by which the housing 10 is moved into an extended position relative to the casing 16 is discussed starting at Column 4, last paragraph, through Column 5, first paragraph of the Cole specification. The cap 50 is rotated which results in the loosening of a latch member 55. Once the latch member 55 is rotated sufficiently to provide clearance, the spring 54 moves the latch member upwardly so that a bolt 51 and a cap 50 pop up, as best shown in Figures 3 and 4 of the drawing. When this occurs, the extended cap 50 provides a "convenient handle for lifting the housing 10 out of the casing 16" (Column 5, lines 16 - 17 of the Cole specification).

Neither spring 54 which acts upon the latch member 55, or spring 60 which is disposed around the bolt 51, (as discussed at Column 5, lines 2 - 17 of the Cole specification) provides means for resilient biasing the housing 10 into its extended position relative to the casing 16. On the contrary, the springs 54 and 60 provide means for moving a handle (latch 55, bolt 51 and cap 50) into an extended position relative to the housing 10, but do not provide a resilient bias on the housing 10 itself into an extended position relative to the casing. On the contrary, the housing 10 must be manually moved relative to the casing 16 only after the handle is provided by the extended bolt 51 and cap 50. The Cole specification, by its own terms, expressly states that the bolt 51 and the cap 50 pop up as shown by Figure 4, "so as to provide a convenient handle for lifting the housing 10 out of the casing 16" (Column 5, lines 16 - 17 of the Cole specification).

Applicant respectfully submits that a combination of the Cole and Byrne patent does not teach or suggest independent Claim 6, when viewed as a whole, since neither Byrne or Cole disclose or suggest means for resiliently biasing a receptable unit into an extended position, as expressly recited in independent Claim 6. Moreover, since neither Byrne or Cole disclose means for resiliently biasing a receptacle unit into an extended position, neither of these patents teaches or suggests cooperating locking means for opposing resilient biasing means. As noted above, elements 45a and 45b disclosed by Cole are stops for retaining the housing 10 in its extended position relative to the casing 16, and are not releasable locking means "for retaining said receptable unit in said retracted position", as expressly recited in independent Claim 6. On the contrary, the stop 45a and 45b act exactly opposite to that claimed - their purpose is to retain the housing 10 in its extended (not retracted) position relative to the casing 16.

Applicant respectfully submits that independent Claim 6 is clearly allowable over the prior art applied in the Official Action. Independent Claim 19, which includes the features of former dependent Claim 6 (now independent Claim 6), is allowable over the prior art applied in the Official Action for the same reasons discussed above with respect to independent Claim 6. Dependent Claim 20, which depends from independent Claim 19, is allowable at least for the same reasons as parent independent Claim 19.

Applicant respectfully submits that all pending Claims 6, 19 and 20 are in condition for allowance, and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark P. Stone', with a long horizontal flourish extending to the right.

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